

**Energy and Water Ombudsman (Victoria) Complaint Upgrade Policy**

**September 2012**

**Overview**

The Energy and Water Ombudsman (Victoria) (EWOV) has developed case handling policies and procedures to ensure that its service is effective and efficient.<sup>1</sup> EWOV upgrades complaints to help ensure that Scheme Participants provide timely, accurate and appropriate responses to assist with the effective and efficient resolution of complaints.

An Investigated Complaint will be upgraded to the next stage by EWOV in the following circumstances:

- a. a response to a verbal or written request for information is not provided by 9.00am (Eastern Standard Time) on the day after the due date
- b. a response does not address the issues in dispute as detailed in EWOV's response request, or does not address what the customer is seeking
- c. a response does not provide any suggestions for the resolution of the complaint
- d. a suggestion provided for the resolution of the complaint is not appropriate or is inadequate
- e. a response does not provide all of the information that EWOV has requested in the acknowledgement letter, Batch meeting or the request for a further response
- f. a response does not provide a specific date for when the results of testing, auditing, rebilling of accounts etc will be provided to EWOV
- g. where a Stage 2 or Stage 3 complaint remains unresolved following the provision of the initial response and two further responses by the Scheme Participant, and EWOV believes the complaint has sufficient merit to warrant further investigation
- h. where the request by a Scheme Participant to handle the case as a Stage 2 is more than two business days after the Batch has been sent to the Scheme Participant (such cases will be upgraded from Batch to Stage 2)
- i. a Batch complaint remains unresolved following the Batch discussion/initial response and one further response by the Scheme Participant, and EWOV believes the complaint has sufficient merit to warrant further investigation
- j. where the Scheme Participant does not attend the agreed Batch meeting within five business days of the Batch being sent
- k. where the Scheme Participant has not provided all of the information required to resolve a Batch complaint within ten business days
- l. a resolution has failed within 30 calendar days of closure of the Investigated Complaint, requiring the case to be reopened by EWOV
- m. apart from the above, a Team Manager (TM) or the General Manager Investigations (GMI) may use their discretion to upgrade complaints in other circumstances, details of which will be provided to the Scheme Participant

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<sup>1</sup> EWOV complies with the National [Benchmarks for Industry-Based Customer Dispute Resolution Schemes 1997](#)

## **Investigated Complaint Upgrade information**

When a complaint is upgraded, the Scheme Participant will be provided with an upgrade notification email confirming the following:

- The criteria under which the complaint has been upgraded
- The reasons for the upgrade
- The stage to which the complaint has been upgraded
- An outline of information required to progress/resolve the complaint
- A timeframe of five business days to provide an additional response

The GMI and TMs can upgrade cases for all reasons listed earlier in this document. Conciliators can only complete an upgrade when a response is not provided by 9.00am (Eastern Standard Time) on the day after the due date.

**If a response is provided after 9.00am on the day after the due date, but prior to the complaint being upgraded, the upgrade may proceed.**

### Upgrade delay and deferral

EWOV may use discretion to delay the upgrade of a complaint in the following circumstances:

- If a Scheme Participant requests a delay of upgrade because its sole EWOV contact is not able to provide a response by the required date due to extended unexpected leave. The upgrade may be delayed at the discretion of a TM or GMI.<sup>2</sup>
- Exceptional circumstances that may require delay or deferral of an upgrade may be considered at the discretion of a TM, or GMI.

In the above circumstances the upgrade may be delayed by an agreed duration based on the particular circumstances. Generally this will not exceed five business days from the initial due date.

EWOV will not delay the upgrade of a complaint in the following circumstances:

- If the Batch process and timeframes have not been adhered to; or
- If contact is made with the customer about the issue in dispute whilst an EWOV investigation is underway. This includes contact via phone and receipt of debt collection notices.

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<sup>2</sup> EWOV expects Scheme Participants to effectively use the time provided to undertake an investigation into the issues. EWOV will not delay the upgrade of a complaint if a Scheme Participant contact is unexpectedly on leave on the day the response is due and the response is not in progress. This only applies to cases where there is only one Scheme Participant contact available.

**No Further Investigation - Fair and Reasonable Offer/Merits Review**

A complaint will not be upgraded if a Scheme Participant has provided a response/offer to resolve a complaint within the required timeframe and EWOV, through its investigation and analysis, believes that there is no merit in the complaint, or that a fair and reasonable offer has been made.

**Scheme Participant escalation**

EWOV seeks to apply the upgrade policy in a fair, consistent and transparent way. Where a Scheme Participant has any concerns about the application of the policy or wishes to query an upgrade, they should follow EWOV's escalation process (contained in the Internal Complaint Handling Policy), using the relevant TM as the first point of contact for any upgrade concerns.

Where a Scheme Participant has more general concerns about the handling or progression of a complaint, those issues may be raised separately through the escalation process. EWOV will consider any such concerns separately to its application of the upgrade policy.

**Document history**

Action and Date	Updated By
Updated : November 2009	
Updated: September 2012	MWC